

Application No.: 09/965417

Case No.: 56233US002

Remarks

This Amendment is in response to the Office Action mailed March 24, 2004. Claims 1 to 23 are pending. Claims 1, 15, and 21 are amended. Claims 11 and 13 have also been amended to correct a typographical error. No new matter has been added. The Applicants thank the Examiner for indicating that claims 18 and 19 would be allowable if rewritten in independent form.

The specification has been amended to provide a serial number of a patent application filed at the same time as the present application.

§ 103 Rejections

Claims 1-14, 21, and 22 stand rejected under 35 USC § 103(a) as being anticipated by British Patent Application 2,326,727 (hereinafter "'727 Application") in view of PCT Publication No. WO 98/04651 (hereinafter "PCT '651"). Claims 15-17, 20, and 23 stand rejected under 35 USC § 103(a) as being unpatentable over the '727 Application in view of British Patent Application 2,324,881 (hereinafter "'881 Application") and PCT '651. The Applicants traverse these rejections.

The Applicants have amended independent claims 1, 15, and 21 to clarify that the recited polarization rotator is configured and arranged to rotate the polarization of at least a portion of the light that is transmitted by the polarizing element by a fixed angle of at least 5 degrees. The '727 Application, alone or in combination with the other cited references, does not teach or suggest the claimed inventions. In particular, the Office Action's alleged "polarization rotator layer", corresponding to liquid crystal layer (3) of the '727 Application, is a spatial light modulator; the orientation of which can be altered by application of an electrical current to the electrode (4). This feature of the spatial light modulator allows it to be used to generate images containing information, etc. Thus, any polarization rotation effect provided by the liquid crystal layer (3) of the '727 Application is not rotation by "a fixed angle of at least 5 degrees" as recited by claims 1, 15, and 21. Neither PCT '651 nor the '881 Application address this deficiency of the '727 Application.

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Moreover, the Applicants respectfully submit that there is no motivation to combine the '727 Application and PCT '651 as suggested in the Office Action. In particular, these two references are directed to form two different liquid crystal products. The '727 Application is directed to the formation of a liquid crystal spatial light modulator, sometimes referred to as a "liquid crystal cell". This spatial light modulator includes electrodes on both sides of a liquid crystal layer to selectively alter the orientation of portions of the liquid crystal layer to form images, etc. In contrast, PCT '651 discloses an optical retardation film that is disposed outside of the "liquid crystal cell" (element 18 of Figures 1a and 1b of PCT '651). The Applicants respectfully submit that one of skill in the art would not look to PCT '651, which is not directed to the formation of liquid crystal spatial light modulators, to modify the spatial light modulator of the '727 Application. Accordingly, the required motivation to combine these references to establish a *prima facie* case of obviousness is not present.

Accordingly, the Applicants submit that claims 1,15, and 21, as well as dependent claims 2-14, 16-20, 22, and 23, are patentable over the cited references. The Applicants request withdrawal of these rejections.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of claims 1-23, as amended, at an early date is solicited.

Respectfully submitted,

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